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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION**
12

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 vs.

16 MICHAEL RICHARD LYNCH AND
STEPHEN KEITH CHAMBERLAIN

17 Defendants.
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CASE NO. 3:18-cr-00577-CRB

**Defendant Stephen Chamberlain's
Response to Jury Note Number 5**

Assigned to Hon. Charles R. Breyer

1 On June 4, 2024, the jury requested hard copies of the 2009 and 2010 Annual
2 Reports. *See* Jury Note Number 3. The next morning, on June 5, 2024, the Court
3 provided these hard copies to the jury. Each report contains a section titled, “Senior
4 Management,” as depicted below:

2009 Annual Report

Directors and Senior Management

Autonomy is led by a highly experienced management team. They bring together extensive expertise covering multiple facets of information technology, its constituent sectors and markets. Biographical details of the directors and senior management are as follows:

Board of Directors

Chairman



Robert S. Webb QC (Queen's Counsel), aged 61, was appointed as Non-Executive Chairman of the Board in May 2009. From 1998 through the end of March 2009, Mr. Webb served as General Counsel at British Airways, and in that role was responsible for the legal function with oversight of Government and Industry Affairs, Safety and Security, Risk Management, Business Continuity and British Airways Health Services, and was also variously responsible for Environmental Policy and Corporate

Responsibility. Prior to joining British Airways, Mr. Webb was called to The Bar, Inner Temple 1971, and appointed Queen's Counsel in 1988. Mr. Webb served as Head of Chambers, 5 Bell Yard, London, from 1988 to 1998; Recorder of the Crown Court from 1993 to 1998; Benchler, Inner Temple 1997; and as Chairman of the International Relations Committee of the Bar Council 1997/8. Mr. Webb's other current engagements include: non-executive Director of the London Stock Exchange since 2001, where he serves as Chair of the Remuneration Committee; non-executive Director of the BBC since 2007; Chair of BBC Worldwide since 2009; non-executive Director of Hakluyt, a private business research company, since 2005, where he serves as Chair of the Remuneration Committee; and non-executive Director of Argent Group Limited, a property company, since April 2009.

Executive Directors



Dr. Michael Lynch OBE FREng, Managing Director and Chief Executive Officer, aged 44, co-founded Autonomy and has served as Managing Director and Chief Executive Officer since our inception in March 1996. Dr. Lynch is also a non-executive director of the BBC, blinkx Plc and Featurespace Limited, and a trustee of the U.K.'s National Endowment for Science, Technology and the Arts. Dr. Lynch holds an M.A. in electrical and information sciences, a Ph.D. in adaptive techniques in signal

processing and connectionist models and held a research fellowship in adaptive pattern recognition at Cambridge University. Dr. Lynch was named the Confederation of British Industry's Entrepreneur of the Year, won an IEE Award for Outstanding Achievement and was awarded an OBE for Services to Enterprise. Dr. Lynch is also a Lady Margaret Beaufort Fellow of Christ's College, Cambridge, and the author of a number of academic papers on the subject of Pattern Recognition and Signal Processing. Dr. Lynch was appointed to the Board when Autonomy was founded in 1996.



Sushovan Hussain, Board Director and Chief Financial Officer, aged 45, has served as Chief Financial Officer since June 2001 and was appointed a Director in June 2003. Prior to joining Autonomy, Mr. Hussain worked for LASMO plc, one of the world's largest independent oil and gas exploration companies, where he held a number of senior international financial positions, including three years in the Corporate Development department, charged with acquisitions and divestments. Mr. Hussain received his BA in Economics from Cambridge University, England, and became a qualified Chartered Accountant while employed at Ernst & Young in London.

Non-Executive Directors



Barry Ariko, Board Director, aged 64, has served as a non-executive director of Autonomy since January 2000 and has spent his entire career in the computer and software industry. From November 2003 to November 2007, Mr. Ariko served as Chairman and CEO of Mirapoint, Inc., a leader in messaging networks. He was Chairman and CEO of Extricity, Inc., a leader in B2B workflow software, from January 2000 until May 2001 when it was acquired by Peregrine Systems (now part of Hewlett Packard). He was Executive Vice President and Chief Operating Officer of Netscape Communications, Inc. from August 1998 until it was acquired by AOL. From April 1994 to August 1998, Mr. Ariko was Executive Vice President in charge of the Americas operations for Oracle Corp. Mr. Ariko also serves as a director of Incyte Corp., a U.S. public company doing small molecule drug discovery, as well as for a number of private companies and non-profits. Mr. Ariko holds a BS in Management from Golden Gate University in San Francisco and has completed the Advanced Executive Program at Northwestern University's J.L. Kellogg Graduate School of Management.



Richard Gaunt, Board Director, aged 42, co-founded Autonomy and has served as an executive and non-executive director at times since our inception in March 1996. Mr. Gaunt holds a BSc in electronic engineering and an MSc from the University of Natal in Durban. Mr. Gaunt was appointed to the Board when Autonomy was founded in 1996, and has served only as a non-executive director since 2006.

Directors and Senior Management

Non-Executive Directors (continued)



John McMonigall, Board Director, aged 66, has served as a non-executive director of Autonomy since July 1998. Since April 1990, Mr. McMonigall has been a partner with Apex Partners Worldwide LLP, the private equity firm, where he specializes in telecommunications, software and related fields. From 1986 to 1990, Mr. McMonigall held a variety of positions at British Telecom where he served as a member of the Management Board. He currently serves on the board of Dialog Semiconductor Plc. Mr.

McMonigall also serves on the boards of several privately owned companies as a non-executive director.



Richard N. Perle, Board Director, aged 66, has served as a non-executive director of Autonomy since February 2000. Mr. Perle has served as Resident Fellow of the American Enterprise Institute for Public Policy Research since 1987. From 1981 to 1987 he was the United States Assistant Secretary of Defence for International Security Policy, and from 2001 through 2003 served as Chairman of the U.S. Defence Policy Board. Mr. Perle is a director of Tapestry Pharmaceuticals, Inc., a pharmaceutical company focused on the

development of proprietary therapies for the treatment of cancer. He is a director of FNSS, a joint venture between Nurol (a Turkish company) and British Aerospace. He is a consultant to Clarium Capital, a U.S. based hedge fund. Mr. Perle attended the London School of Economics with Honours Examinations, received an M.A. in politics from Princeton University and a B.A. from the University of Southern California in international relations, and completed various fellowships at Princeton University, the Ford Foundation and the American Council of Learned Societies.

Executive Management



Dr. Peter Menell, D.Phil. Oxon, Chief Technology Officer, aged 43, joined Autonomy's Engineering and Technology Solutions unit in 1998 and has served as Chief Technology Officer since 2004. During that time he has overseen a number of significant advances in Autonomy technology, including key new patents filed, and been responsible for the successful deployment of Autonomy software at multi-divisional organizations across the globe. Prior to joining Autonomy,

Dr. Menell conducted computational and neuro-physiology research. Dr. Menell holds a B.A. (Hons) and M.Sc. from York University and a D.Phil. from Magdalen College Oxford.



Andrew M. Kanter, Chief Operating Officer and General Counsel, aged 40, joined Autonomy in August 2000 as VP, International Operations and Legal Affairs, and has served as our COO since 2001. Prior to joining Autonomy, through 2000 Mr. Kanter was an associate attorney with Brobeck Hale and Dorr in London, engaged in international mergers and acquisitions and corporate finance. Through 1999, Mr. Kanter was an associate attorney at Brobeck, Phleger & Harrison in San Francisco, and prior to that was an associate attorney with Shearman & Sterling, San Francisco. Mr. Kanter was Clerk of Hon. Christine Miller of the U.S. Court of Federal Claims, Washington, DC. Mr. Kanter holds a J.D. from the University of Southern California and a B.A. from Johns Hopkins University, and also studied at Kansai University of Foreign Studies, Osaka, Japan.



Nicole Eagan, Chief Marketing Officer, aged 45, joined the Autonomy group as Chief Marketing Officer in January 2006. Prior to working for Autonomy Ms. Eagan served Verity as a Senior Vice President of Marketing and Chief Marketing Officer from June 2005. Before joining Verity, Ms. Eagan was Vice President, Global Marketing at Quest Software, an application, database and Windows management company from 2004 to 2005. Prior to Quest, Ms. Eagan was the Senior Vice President of Global Marketing at Peregrine from 2001 to 2004. Ms. Eagan also held senior marketing, strategy and business development positions at Extricity, a business process management company and Oracle Corporation. Ms. Eagan holds a B.S. from Montclair University, N.J.



Stouffer Egan, CEO Autonomy, Inc., aged 41, joined Autonomy in March 2001 as Director of Global Accounts. He has served as our Chief Executive Officer, Autonomy, Inc., since 2002. Prior to joining Autonomy, from February 2000 through to March 2001, Mr. Egan was Vice President of Corporate Development for LeadingSide Inc. From January 1995 through February 2000, Mr. Egan held various positions with Dataware Technologies, most recently as VP, Corporate Development. Mr. Egan holds a B.A. in Economics from Trinity College, CT.

Ex. 428 at 20-21.

2010 Annual Report

Directors and Senior Management

Autonomy is led by a highly experienced management team. They bring together extensive expertise covering multiple facets of information technology, its constituent sectors and markets. Biographical details of the directors and senior management are as follows:



Robert Webb
Chairman



Michael Lynch
CEO



Sushovan Hussain
CFO



Jonathan Bloomer
Non-Executive



Richard Gaunt
Non-Executive



Frank Kelly
Non-Executive



John McMonigall
Non-Executive

Executive Management



Andrew Kanter, Chief Operating Officer and General Counsel, aged 41, joined Autonomy in August 2000 as VP, International Operations and Legal Affairs, and has served as our COO since 2001. Prior to joining Autonomy, through 2000 Mr. Kanter was an associate attorney with Brobeck Hale and Dorr in London, engaged in international mergers and acquisitions and corporate finance. Through 1999, Mr. Kanter was an associate attorney at Brobeck, Phleger & Harrison in San Francisco, and prior to that was an associate attorney with Shearman & Sterling, San Francisco. Mr. Kanter was Clerk to Hon. Christine Miller of the U.S. Court of Federal Claims, Washington, DC. Mr. Kanter holds a J.D. from the University of Southern California and a B.A. from Johns Hopkins University, and also studied at Kansai University of Foreign Studies, Osaka, Japan.



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Eloy Avila, Chief Technology Officer, aged 31, joined Autonomy in January of 2004 and has been a part of the technology team since, most recently holding the role of US CTO. Prior to joining Autonomy, Mr. Avila did research and worked on building ultra-efficient electric vehicles. Mr. Avila holds a B.S. in Electrical Engineering from Stanford University, CA.



Dr. Peter Menell, D.Phil. Oxon, Chief Research Officer, aged 44, joined Autonomy's Engineering and Technology Solutions unit in 1998 and has served in senior technology roles since 2004, including as Chief Technology Officer and Chief Research Officer. During that time he has overseen a number of significant advances in Autonomy technology, including key new patents filed, and been responsible for the successful deployment of Autonomy software at multi-divisional organisations across the globe. Prior to joining Autonomy, Dr. Menell conducted computational and neuro-physiology research. Dr. Menell holds a B.A. (Hons) and M.Sc. from York University and a D.Phil. from Magdalen College Oxford.

Ex. 1352 at 26-27.

After receiving this on June 5, 2024, the jury sent Juror Note #5 requesting, among other things, various communications between “Autonomy senior management.” On the heels of the jury receiving two annual reports that define senior management as not including Mr. Chamberlain, it would be error for the Court to send any suggestion to the contrary – whether that be through an inquiry or non-responsive documents.

Indeed, the overall trial record shows that Mr. Chamberlain was not senior management. *See, e.g.*, Ex. 1594 at 10-11 (Presentation given to HP that lists 19 people as part of Senior Management and Mr. Chamberlain is not on this list); Trial

1 Tr. 9800:6-7 (unchallenged testimony of Dr. Lynch that Mr. Chamberlain “certainly
2 wasn’t” part of the senior management team).

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5 DATED: June 6, 2024

Gary S. Lincenberg
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Michael C. Landman
Bird, Marella, Rhow,
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11 Gary S. Lincenberg
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